

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

WILFREDO DEJESUS,

Plaintiff,

v.

Case No.: 8:18-cv-2058-EAK-JSS

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER**

Currently before the undersigned is the Report and Recommendation (“**R&R**”) of United States Magistrate Judge Julie S. Sneed. (Doc. 25). By the R&R, Judge Sneed recommends Plaintiff Wilfredo DeJesus’s Unopposed Motion for Attorney’s Fees Pursuant to the Equal Access to Justice Act (“**Motion**”), (Doc. 21), be granted, (Doc. 25). No party filed written objections to the R&R, and the time for doing so has elapsed.

Under the Federal Magistrates Act (“**Act**”), Congress vested Article III judges with the power to “designate a magistrate judge to hear and determine any pretrial matter pending before the court,” subject to various exceptions. 28 U.S.C. § 636(b)(1)(A). The Act further vests magistrate judges with authority to submit proposed findings of fact and recommendations for disposition by an Article III judge. *Id.* § 636(b)(1)(B). “Within fourteen days after being served with a copy [of a magistrate judge’s report and recommendation], any party may serve and file written objections to [the magistrate judge’s] proposed findings and recommendations.” *Id.* § 636(b)(1). On review, the district

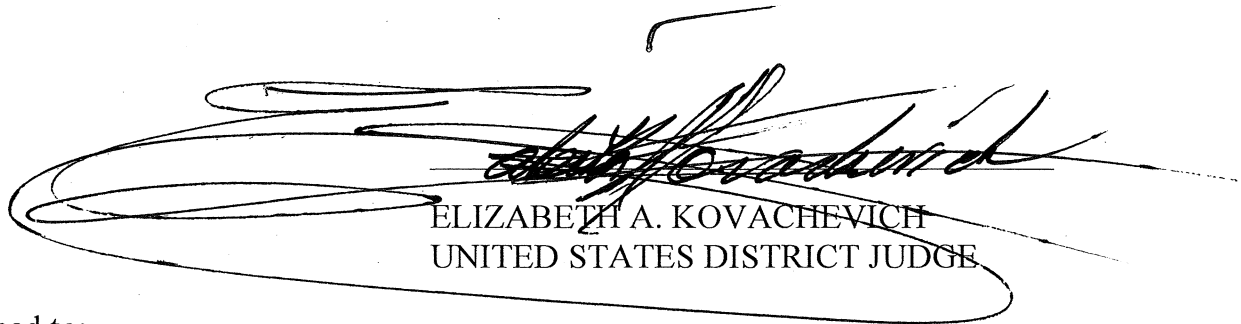
judge “shall make a *de novo* determination of those portions of the report . . . to which objection is made.” *Id.* When no timely and specific objections are filed, caselaw indicates the district judge should review the magistrate judge’s proposed findings and recommendations using a clearly erroneous standard. *See Gropp v. United Airlines, Inc.*, 817 F. Supp. 1558, 1562 (M.D. Fla. 1993) (Kovachevich, J.).

After careful consideration of the R&R, in conjunction with an independent examination of the file, the undersigned finds the R&R is well-reasoned, correct, and not clearly erroneous.

Accordingly, it is **ORDERED** as follows:

1. Judge Sneed’s R&R, (Doc. 25), is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
2. Plaintiff’s Motion, (Doc. 21), is **GRANTED**.
3. Plaintiff is awarded attorney’s fees in the amount of \$6,420.00 and costs in the amount of \$400.00.

**ORDERED** in Chambers, in Tampa, Florida, this 12th day of December, 2019.



ELIZABETH A. KOVACHEVICH  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel/Parties of Record